

REMARKS

The Non-Final Office Action mailed August 2, 2007 considered claims 1-21. Claims 20-21 were rejected under 35 U.S.C. 101 because they are directed towards a data structure per se or a "connection". Claims 1-21 were rejected under 35 U.S.C. 102(b) as being taught by *Ogilvie* et al. (US 6,324,569) hereinafter *Ogilvie*.<sup>1</sup>

By this amendment, claims 1, 7, 10-12, and 20 are amended.<sup>2</sup> Accordingly, claims 1-21 remain pending.

The present invention is generally directed to decoupling attachments from electronic messages. For example, claim 1 defines an act of receiving a body portion of an electronic message. Claim 1 also defines an act of receiving an attachment associated with the electronic message. The attachment includes a coupling field indicating if the message is coupled to or decoupled from the electronic message and a data field storing attachment data. Next, claim 1 defines receiving a delete command requesting deletion of the electronic message. Claim 1 then defines deleting the electronic message in accordance with the received delete command. Lastly, claim 1 defines automatically referring to the coupling field included in the attachment to determine if the attachment data is to be deleted along with the electronic message in response of receiving the delete command.

Claim 20 is computer program product claim corresponding to claim 1.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

Claims 1-21 were rejected under 35 U.S.C. 102(b) as being taught by *Ogilvie*. *Ogilvie* describes mechanism related to self-removing e-mail messages. A message originator or intermediary associates removal indicators with removal code contained in an electronic message. (Col. 5, ll. 46-58) Removal indicators indicate to the removal code when to remove the message such that the receipt does not have to take manual action to delete the message. (Col. 5, l. 59 – Col. 7, l. 3).

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims are found throughout the specification and previously presented claims, including but not limited to paragraphs [0046], [0047] and Figures 1 and 3.

Conventional options for handling attachments can be combined with removal indicators. (Col. 7, ll. 4-5). For example, electronic e-mail client programs can present an option to a user to retain or delete an attachment, in response to selecting the electronic mail message containing attachment for deletion. Thus, options similar to those used at e-mail client programs can be used to permit a user to specify whether or not to keep an attachment when a self-removing message containing the attachment is deleted. (Col. 7, ll. 5-11). Applicants submit that this is based on and requires human interaction and input. As such, the decision to keep or delete an attachment is based on human input and not based on the contents of message.

*Ogilvie* discloses that removal code for self-removal of a message can be included as an attachment to the message. (Col. 12, ll. 49- 50). However, the attached removal code does not indicate how other attachments are to be handled in response to deletion of the message. Thus, execution of the removal code does not change the process for determining whether to keep or delete other attachments to a message. Deletion of any other attachments to the message is still based on and requires human interaction and input but is not based on the contents of the other attachments.

Accordingly, the cited references fail to teach or suggest, either singly or in combination, automatically referring to the coupling field included in the attachment to determine if the attachment data is to be deleted along with the electronic message in response to receiving the delete command, as recited in claim 1. At least for this reason claim 1 patentably defines over the art of record. At least for this same reason, claim 20 also patentably defines over the art of record.

Claims 14-19 and 21 were also rejected under 35 USC 102(b) as being anticipated by *Ogilvie*. However, the office action provides no citations nor reasoning identifying how *Ogilvie* anticipates each and every limitation of each of claims 14-19 and 21. Claims 14-19 and 21 contain limitations differing from claims 1 and 20. Accordingly, Applicants submit that the reasoning applied to claims 1-13 and 20 is not applicable to claims 14-19 and 21. Thus, Applicants respectfully request that support for the rejections to claims 14-19 and 21 be provided. Applicants also request that the next office action, if indeed there is one, not be made final, since Applicants have not had an opportunity to reasonably address the rejections of claims 14-19 and 21.

Claims 20 and 21 have been amended replacing "computer-readable" with "physical storage" media. Various examples of physical storage message are expressly described in paragraph [0021]. Applicants submit that the amended language overcomes the 35 USC 101 rejections. Accordingly, Applications respectfully request that the 35 USC 101 rejection to claims 20 and 21 be withdrawn.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 2<sup>nd</sup> day of November, 2007.

Respectfully submitted,



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